

OCT 22 2006

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete If Known

Application Number	10/059,554
Filing Date	01/30/2002
First Named Inventor	Douglas Hooker Bradley
Examiner Name	Chat C. Do
Art Unit	2193
Attorney Docket No.	AUS920010742US1

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	International Business M
Deposit Account Name	09-0447

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20** =	X	=	Fee from below	Fee Paid
Independent Claims					
Multiple Dependent					

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)		

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1601 1,370	2501 685	Utility issue fee (or reissue)	
1602 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 130.00)	

(Complete if applicable)

Name (Print/Type)	Anthony V.S. England	Registration No. (Attorney/Agent)	35,129	Telephone	512-477-7165
Signature	Anthony V.S. England			Date	10-22-2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

	Application Number	10/059,554
	Filing Date	01/30/2002
	First Named Inventor	Douglas Hooker Bradley
	Art Unit	2193
	Examiner Name	Chat D. Do
	Attorney Docket Number	AUS920010743US1

et 21

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>1. Notice of Abandonment, dated 08/16/2006 (2 pages);</li> <li>2. Exhibit "AA," copy of transmittal sent to USPTO 03/04/2005 (15 pages)</li> </ul>
<input type="checkbox"/> Remarks <b>NOTICE TO OFFICE OF INITIAL EXAMINATION:</b> It is important to scan this ENTIRE document, including all attachments. Images of ALL PAGES should be included in the electronic file for this document, because the attachments are NOT already in PAIR.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of Anthony England		
Signature			
Printed name	Anthony V.S. England		
Date	10-22-2006	Reg. No.	35,129

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Anthony V.S. England	Date	10-22-2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No.10/059,554

Filing Date: 01/30/2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bradley	Before the Examiner: Chat C. Do
Serial No. : 10/059,554	Group Art Unit: 2193
Filed: 01/30/2002	
Title: Circuit Suitable for Use in a Carry Lookahead Adder	

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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OCT 22 2006

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Enclosed is a decision (the "Decision") dated September 15, 2006, on a petition to withdraw holding of abandonment. The Decision indicates that in the petition (the "Petition") filed July 2, 2006, Petitioner did not include a copy of Applicant's timely filed reply (the "Reply") of March 1, 2005, to Office action. However, Petitioner did, in fact, submit that Reply with the Petition. Petitioner surmises that perhaps the Office of Initial Examination did not scan all the attachments submitted with the Petition. Petitioner hereby again requests that the holding of abandonment be withdrawn. Once again, Petitioner herein submits evidence showing that Applicant did, in fact, timely file a reply to the subject Office action.

Petitioner requests that the fee for filing a petition be waived.

AUS920010743US1

1

Application No.10/059,554

Filing Date: 01/30/2002

Evidence showing that Applicant timely filed a reply:

On March 1, 2005, Attorney Joseph P. Lally filed a reply to the December 1, 2004, Office action by facsimile transmission. A copy of this transmittal is enclosed as Exhibit "AA." Note, in particular, that the first page of the reply of March 1, 2005, includes a signed and dated certificate of transmission in compliance with 37 CFR 1.8. While the enclosed USPTO Auto-Reply Facsimile Transmission acknowledgment is less than ideally legible, it is also included herein, because it does provide *some* additional evidence of the transmission of the reply of March 1, 2005.

Respectfully submitted,

Anthony V. S. England  
Attorney for IBM Corporation  
Registration No. 35,129  
512-477-7165  
a@aengland.com

AUS920010743US1

2



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
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IBM CORP. (AVE)  
 C/O LAW OFFICE OF ANTHONY ENGLAND  
 PO BOX 5307  
 AUSTIN, TX 78763-5307

In re Application of  
 Bradley, et al.  
 Application No. 10/059,554  
 Filed: January 30, 2002  
 Attorney Docket No. AUS920010743US1

COPY MAILED

SEP 15 2006

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.181 filed on July 2, 2006, to withdraw the holding of abandonment in the above-cited application.

The petition is DISMISSED.

The above-identified application became abandoned for failure to reply to the non-final Office action mailed December 1, 2004, which set a shortened statutory period for reply of three-months from its mailing date. No response was received within the allowable period, and the application became abandoned on March 2, 2005. A Notice of Abandonment was mailed on June 16, 2006.

Petitioner argues that a reply the non-final Office action was transmitted via facsimile on March 1, 2005, and received by the Office. As evidence of the same, petitioner provides the Auto-Reply Transmission that was allegedly returned to petitioner after the response to the non-final Office action was transmitted.

The petition cannot be granted on the basis of the Auto-Reply Transmission Sheet because the Auto-Reply transmission sheet, as seen in the Image File Wrapper of the application is illegible. Petitioner must file a legible copy of the Auto-Reply Transmission Sheet, or a copy of the response allegedly transmitted on March 1, 2005, containing a certificate of transmission in compliance with 37 CFR 1.8.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents  
 United States Patent and Trademark Office  
 Box 1450  
 Alexandria, VA 22313-1450

By facsimile: (571) 273-8300  
 Attn: Office of Petitions

Telephone inquiries regarding this decision should be directed to the undersigned (571) 272-3222.

Kenya A. McLaughlin  
 Petitions Attorney  
 Office of Petitions

**EXHIBIT "AA"**

**COPY OF REPLY TO DECEMBER 1, 2004  
OFFICE ACTION INCLUDING SIGNED AND  
DATED CERTIFICATE OF TRANSMISSION  
AND USPTO AUTO-REPLY FACSIMILE  
TRANSMISSION**

OCT 22 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

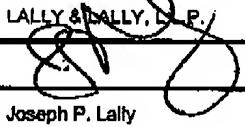
Total Number of Pages in This Submission

Application Number	10/057554
Filing Date	01/30/2002
First Named Inventor	Bradley
Art Unit	2124
Examiner Name	Do
Total Number of Pages in This Submission	14
Attorney Docket Number	AUS9 2001 0743 US1

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) 1 Replacement Sheet 6 of 10 1 Annotated Sheet 6 of 10	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	LALLY & LALLY, L.P.		
Signature			
Printed name	Joseph P. Lally		
Date	March 1, 2005	Reg. No.	38,947

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Joseph P. Lally	Date	March 1, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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